



General Assembly

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6 January 2006

Sixtieth session
Agenda item 80

Resolution adopted by the General Assembly

[on the report of the Sixth Committee (A/60/516)]

60/22. Report of the International Law Commission on the work of its fifty-seventh session

The General Assembly,

Having considered the report of the International Law Commission on the work of its fifty-seventh session,¹

Emphasizing the importance of furthering the codification and progressive development of international law as a means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Recognizing the desirability of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law Commission for closer examination, and of enabling the Sixth Committee and the Commission to enhance further their contribution to the progressive development of international law and its codification,

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

Welcoming the holding of the International Law Seminar, and noting with appreciation the voluntary contributions made to the United Nations Trust Fund for the International Law Seminar,

Stressing the usefulness of focusing and structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention to each of the main topics dealt with in the report and for discussions on specific topics,

¹ Official Records of the General Assembly, Sixtieth Session, Supplement No. 10 (A/60/10)

² Resolution 2625 (XXV), annex.

Wishing to enhance further, in the context of the revitalization of the debate on the report of the International Law Commission, the interaction between the Sixth Committee as a body of governmental representatives and the Commission as a body of independent legal experts, with a view to improving the dialogue between the two bodies,

Welcoming initiatives to hold interactive debates, panel discussions and question time in the Sixth Committee, as envisaged in resolution 58/316 of 1 July 2004 on further measures for the revitalization of the work of the General Assembly,

1. *Takes note* of the report of the International Law Commission on the work of its fifty-seventh session,¹ and recommends that the Commission continue its work on the topics in its current programme, taking into account the comments and observations of Governments, whether submitted in writing or expressed orally in debates in the General Assembly;

2. *Expresses its appreciation* to the International Law Commission for the work accomplished at its fifty-seventh session, and encourages the Commission to complete its work on those topics that are near completion during its fifty-eighth session, taking into account the views expressed by Governments during the debates of the Sixth Committee, and any written comments that may be submitted by Governments;

3. *Draws the attention* of Governments to the importance for the International Law Commission of having their views on the following, which were adopted by the Commission at its fifty-sixth session:

- (a) The draft articles and commentary on diplomatic protection;²
- (b) The draft principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities;⁴

4. *Invites* Governments to provide information to the International Law Commission, as requested in chapter III of its report,⁵ regarding:

- (a) Shared natural resources;
- (b) Effects of armed conflicts on treaties;
- (c) Responsibility of international organizations;
- (d) Expulsion of aliens;
- (e) Unilateral acts of States;
- (f) Reservations to treaties;

5. *Endorses* the decision of the International Law Commission to include the topic "The obligation to extradite or prosecute (*aut dedere aut judicare*)" in its programme of work;

6. *Invites* the International Law Commission to continue taking measures to enhance its efficiency and productivity;

¹ Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 10 (A/59/10), para. 59.

⁴ Ibid., para. 175.

⁵ Official Records of the General Assembly, Sixtieth Session, Supplement No. 10 (A/60/10), paras. 24-29.

7. *Encourages* the International Law Commission to continue taking cost-saving measures at its future sessions without prejudice to the efficiency of its work;
8. *Takes note* of paragraph 502 of the report of the International Law Commission, and decides that the next session of the Commission shall be held at the United Nations Office at Geneva from 1 May to 9 June and from 3 July to 11 August 2006;
9. *Welcomes* the enhanced dialogue between the International Law Commission and the Sixth Committee at the sixtieth session of the General Assembly, stresses the desirability of further enhancing the dialogue between the two bodies, and in this context encourages, inter alia, the continued practice of informal consultations in the form of discussions between the members of the Sixth Committee and the members of the Commission attending the sixty-first session of the Assembly;
10. *Encourages* delegations, during the debate on the report of the International Law Commission to adhere as far as possible to the structured work programme agreed to by the Sixth Committee and to consider presenting concise and focused statements;
11. *Encourages* Member States to consider being represented at the level of legal adviser during the first week in which the report of the International Law Commission is discussed in the Sixth Committee (International Law Week) to enable high-level discussions on issues of international law;
12. *Requests* the International Law Commission to continue to pay special attention to indicating in its annual report, for each topic, any specific issues on which expressions of views by Governments, either in the Sixth Committee or in written form, would be of particular interest in providing effective guidance for the Commission in its further work;
13. *Takes note* of paragraphs 503 to 509 of the report of the International Law Commission with regard to cooperation with other bodies, and encourages the Commission to continue the implementation of article 16, paragraph (e), and article 26, paragraphs 1 and 2, of its statute in order to further strengthen cooperation between the Commission and other bodies concerned with international law, having in mind the usefulness of such cooperation;
14. *Notes* that consulting with national organizations and individual experts concerned with international law may assist Governments in considering whether to make comments and observations on drafts submitted by the International Law Commission and in formulating their comments and observations;
15. *Reaffirms* its previous decisions concerning the indispensable role of the Codification Division of the Office of Legal Affairs of the Secretariat in providing assistance to the International Law Commission;
16. *Approves* the conclusions reached by the International Law Commission in paragraph 498 of its report, and reaffirms its previous decisions concerning the documentation and summary records of the Commission;⁶
17. *Expresses the hope* that the International Law Seminar will continue to be held in connection with the sessions of the International Law Commission and

⁶ See resolutions 32/151, para. 10, and 37/111, para. 5, and all subsequent resolutions on the annual reports of the International Law Commission to the General Assembly.

that an increasing number of participants, in particular from developing countries, will be given the opportunity to attend the Seminar, and appeals to States to continue to make urgently needed voluntary contributions to the United Nations Trust Fund for the International Law Seminar;

18. *Requests* the Secretary-General to provide the International Law Seminar with adequate services, including interpretation, as required, and encourages him to continue considering ways to improve the structure and content of the Seminar;

19. *Also requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the sixtieth session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate, following established practice;

20. *Requests* the Secretariat to circulate to States, as soon as possible after the conclusion of the session of the International Law Commission, chapter II of its report containing a summary of the work of that session, chapter III containing the specific issues on which the views of Governments would be of particular interest to the Commission and the draft articles adopted on either first or second reading by the Commission;

21. *Recommends* that the debate on the report of the International Law Commission at the sixty-first session of the General Assembly commence on 23 October 2006.

*53rd plenary meeting
23 November 2005*



General Assembly

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Sixtieth session
Agenda item 82

Resolution adopted by the General Assembly

[on the report of the Sixth Committee (A/60/517)]

60/23. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council,¹

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Concerned about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Council,

¹ Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 47 (A/59/47).

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

Recalling also that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Taking note of the ongoing debate on the revised working papers on the working methods of the Special Committee,

Taking note also of the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*,²

Taking note further of paragraphs 106 to 110, 176 and 177 of the 2005 World Summit Outcome,³

Mindful of the decision of the Special Committee, in which it expressed its readiness to engage, as appropriate, in the implementation of any decisions that may be taken at the High-level Plenary Meeting of the sixtieth session of the General Assembly in September 2005 that concern the Charter and any amendments thereto,⁴

Recalling the provisions of its resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997, 53/107 of 8 December 1998, 54/107 of 9 December 1999, 55/157 of 12 December 2000, 56/87 of 12 December 2001, 57/25 of 19 November 2002, 58/80 of 9 December 2003 and 59/45 of 2 December 2004,

Recalling also its resolution 59/44 of 2 December 2004,

Having considered the report of the Special Committee on the work of its session held in 2005,⁵

Noting with appreciation the work done by the Special Committee to encourage States to focus on the need to prevent and to settle peacefully their disputes which are likely to endanger the maintenance of international peace and security,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;⁵

2. *Decides* that the Special Committee shall hold its next session from 3 to 13 April 2006;

3. *Requests* the Special Committee, at its session in 2006, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(a) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already

² A/60/124.

³ See resolution 60/1.

⁴ *Official Records of the General Assembly, Sixtieth Session, Supplement No. 33 (A/60/33)*, para. 77.

⁵ *Official Records of the General Assembly, Sixtieth Session, Supplement No. 33 (A/60/33)*.

submitted or which may be submitted to the Special Committee at its session in 2006;

(b) To continue to consider, on a priority basis and in an appropriate substantive manner and framework, the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter based on all of the related reports of the Secretary-General⁶ and the proposals submitted on the question;

(c) To keep on its agenda the question of the peaceful settlement of disputes between States;

(d) To consider, as appropriate, any proposal referred to it by the General Assembly in the implementation of the decisions of the High-level Plenary Meeting of the sixtieth session of the Assembly in September 2005 that concern the Charter and any amendments thereto;

(e) To continue to consider, on a priority basis, ways and means of improving its working methods and enhancing its efficiency with a view to identifying widely acceptable measures for future implementation;

4. *Invites* the Special Committee at its session in 2006 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations;

5. *Notes* the readiness of the Special Committee to provide, within its mandate, such assistance as may be sought at the request of other subsidiary bodies of the General Assembly in relation to any issues before them;

6. *Requests* the Special Committee to submit a report on its work to the General Assembly at its sixty-first session;

7. *Recognizes* the important role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work, as well as the importance of having recourse to the Court in the peaceful settlement of disputes;

8. *Stresses* the desirability of finding practical ways and means to strengthen the Court, taking into consideration, in particular, the needs resulting from its workload;

9. *Takes note* of the progress made in the preparation of studies of the *Repertory of Practice of United Nations Organs* and their posting on the Internet in three languages, as well as the progress made towards updating the *Repertoire of the Practice of the Security Council* and posting advance versions of individual chapters on the Internet;

10. *Welcomes* the establishment of the trust fund to eliminate the backlog of the *Repertory of Practice of United Nations Organs*, and encourages States to make voluntary contributions to the trust fund and to bring the question of funding for the *Repertory* to the attention of private institutions and individuals that may wish to assist in that regard, as well as to consider the sponsoring, on a voluntary basis, and

⁶ A/48/573-S/26705, A/49/356, A/50/60-S/1995/1, A/50/361, A/50/423, A/51/317, A/52/308, A/53/312, A/54/383 and Add.1, A/55/295 and Add.1, A/56/303, A/57/165 and Add.1, A/58/346, A/59/334 and A/60/320.

with no cost to the United Nations, of associate experts to assist in the preparation of the studies;

11. *Encourages* the enhanced cooperation with academic institutions and the use of the internship programme for the preparation of studies;

12. *Requests* the Secretary-General to continue his efforts, within the level of the currently approved budget, towards making available electronically all versions of the *Repertory of Practice of United Nations Organs* as early as possible;

13. *Endorses* the efforts of the Secretary-General to eliminate the backlog in the publication of the *Repertoire of the Practice of the Security Council*;

14. *Encourages* contributions to the trust fund for the updating of the *Repertoire of the Practice of the Security Council*;

15. *Requests* the Secretary-General to submit a report on both the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* to the General Assembly at its sixty-first session;

16. *Also requests* the Secretary-General to submit a report on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions to the General Assembly at its sixty-first session, under the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization";

17. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

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General Assembly

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Sixtieth session
Agenda item 153

Resolution adopted by the General Assembly

[on the report of the Sixth Committee (A/60/520)]

60/24. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,¹

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,² the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations³ and the responsibilities of the host country,

Recalling also that, in accordance with paragraph 7 of General Assembly resolution 2819 (XXVI) of 15 December 1971, the Committee should consider, and advise the host country on, issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 72 of its report;¹

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations and the observance of their privileges and immunities, which is an issue of great importance, are in the interest of the United Nations and all Member States, and requests the host country to continue to solve, through negotiations, problems that might arise and to take all measures necessary to prevent any interference with the functioning of missions;

¹ Official Records of the General Assembly, Sixtieth Session, Supplement No. 26 (A/60/26).

² Resolution 22 A (I).

³ See resolution 169 (II).

3. *Notes* that the Committee will continue to review the implementation of the Parking Programme for Diplomatic Vehicles,⁴ with a view to addressing the problems experienced by some permanent missions in that respect and continuously ensuring its proper implementation in a manner that is fair, non-discriminatory, effective and therefore consistent with international law and that it shall remain seized of the matter;

4. *Expresses its appreciation* for the efforts made by the host country, and hopes that the issues raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

5. *Notes* that during the reporting period some travel restrictions previously imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities were removed, and requests the host country to consider removing the remaining travel restrictions, and in this regard notes the positions of affected States, as reflected in the report of the Committee, and the positions of the Secretary-General and of the host country;

6. *Notes also* that the Committee anticipates that the host country will enhance its efforts to ensure the issuance, in a timely manner, of entry visas to representatives of Member States, pursuant to article IV, section II, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,⁵ for travel to New York on United Nations business, and notes that the Committee anticipates that the host country will enhance efforts, including visa issuance, to facilitate the participation of representatives of Member States in other United Nations meetings as appropriate;

7. *Notes further* that a number of delegations have requested a shortening of the time frame applied by the host country for the issuance of entry visas to representatives of Member States, since the time frame poses difficulties for the full-fledged participation of Member States in United Nations meetings;

8. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

9. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819 (XXVI);

10. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Report of the Committee on Relations with the Host Country".

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⁴ A/AC.154/355, annex.



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Agenda item 155

Resolution adopted by the General Assembly

[on the report of the Sixth Committee (A/60/521)]

60/25. Observer status for the Latin American Integration Association in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Latin American Integration Association,

1. *Decides to invite the Latin American Integration Association to participate in the sessions and the work of the General Assembly in the capacity of observer;*

2. *Requests the Secretary-General to take the necessary action to implement the present resolution.*

*53rd plenary meeting
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Sixtieth session
Agenda item 156

Resolution adopted by the General Assembly

[on the report of the Sixth Committee (A/60/522)]

60/26. Observer status for the Common Fund for Commodities in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Common Fund for Commodities,

1. *Decides to invite the Common Fund for Commodities to participate in the sessions and the work of the General Assembly in the capacity of observer;*
2. *Requests the Secretary-General to take the necessary action to implement the present resolution.*

*53rd plenary meeting
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Sixtieth session
Agenda item 158

Resolution adopted by the General Assembly

[on the report of the Sixth Committee (A/60/533)]

60/27. Observer status for the Hague Conference on Private International Law in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Hague Conference on Private International Law,

1. *Decides to invite the Hague Conference on Private International Law to participate in the sessions and the work of the General Assembly in the capacity of observer;*
2. *Requests the Secretary-General to take the necessary action to implement the present resolution.*

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Sixtieth session
Agenda item 159

Resolution adopted by the General Assembly

[on the report of the Sixth Committee (A/60/534)]

60/28. Observer status for the Ibero-American Conference in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Ibero-American Conference,

1. *Decides to invite the Ibero-American Conference to participate in the sessions and the work of the General Assembly in the capacity of observer;*

2. *Requests the Secretary-General to take the necessary action to implement the present resolution.*

*53rd plenary meeting
23 November 2005*